

REMARKS

Status of the Application

Claims 1-13 are the claims that have been examined pending in the application. Claims 1-4 and 9-11 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Sayama (U.S. Pat. 6,419,337). Claims 5 and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sayama in view of Kobayashi (U.S. Pat. 6,679,586). Claims 7 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sayama in view of Hosono (U.S. Pat. 6,984,010). By this Amendment, Applicant is amending claims 1 and 9, and adding new claim 13.

Claim Rejections -- 35 U.S.C. § 102

Claims 1-4 and 9-11 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Sayama (U.S. Pat. 6,419,337).

Amended claim 1 recites, in part, "wherein a duration of the second drive subsignal is shorter than a duration of the first drive subsignal." The Examiner alleges that Sayama discloses all of the elements of claim 1. Applicant respectfully disagrees.

The Examiner alleges that the drive signals shown in Fig. 4 of Sayama disclose the unit recording period T as corresponding to the claimed first drive subsignal and second drive subsignal. In detail, the drive signal containing the vibrating pulse PS5 (corresponding to the first T in the Office Action) is alleged as corresponding to the claimed first drive subsignal and the drive signal not containing the vibrating pulse PS5 (corresponding to the second T in the Office Action) is alleged as corresponding to the claimed second drive subsignal. Thus, the drive signals of Sayama pointed out by the Examiner have the same period T. Therefore,

Sayama fails to disclose that a duration of a second drive signal is shorter than a duration of a first drive signal, as recited in amended claim 1. Thus, amended claim 1 is patentable over the applied art. Claims 2-4 are patentable at least by virtue of their dependency from amended claim 1.

Amended claim 9 recites limitations similar to amended claim 1. Therefore, amended claim 9 is patentable for reasons analogous thereto. Claims 10 and 11 are patentable at least by virtue of their dependency from amended claim 9.

Claim Rejections -- 35 U.S.C. § 103

Claims 5 and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sayama in view of Kobayashi (U.S. Pat. 6,679,586).

Claims 5 and 6 are dependent from amended claim 1. Because Sayama fails to disclose all of the aspects of amended claim 1, and because Kobayashi fails to cure the deficient disclosure of Sayama with respect to amended claim 1, claims 5 and 6 are patentable at least by virtue of their dependency from amended claim 1.

Claims 7 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sayama in view of Hosono (U.S. Pat. 6,984,010).

Claims 7 and 8 are dependent from amended claim 1. Because Sayama fails to disclose all of the aspects of amended claim 1, and because Hosono fails to cure the deficient disclosure of Sayama with respect to amended claim 1, claims 7 and 8 are patentable at least by virtue of their dependency from amended claim 1.

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
Application No.: 10/814,588

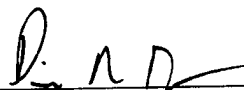
Attorney Docket No.: Q80867

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Dion R. Ferguson
Registration No. 59,561

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON DC SUGHRUE/265550

65565

CUSTOMER NUMBER

Date: August 17, 2007